

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re: Cary W. Krueger
Heather M. Krueger

Chapter 13

Case No.: 14-29738-gmh

Debtors.

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Cary W. Krueger and Heather M. Krueger have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

**Clerk of the Bankruptcy Court
517 E. Wisconsin Ave., Room 126
Milwaukee, WI 53202**

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

**The Fields Group Law Firm
2323 S. 109th Street, Suite 345
Milwaukee, WI 53227**

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

Mark A. Gauthier
The Fields Group Law Firm
2323 S. 109th Street, Suite 345
p-(414)763-3200
f-(414)763-3299

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is: Cary and Heather Krueger
☒ the Debtor;
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (post-confirmation modifications only);
Name: _____
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
☐ A. post-confirmation
☒ B. pre-confirmation
☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
☒ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)).
The creditors affected are: Wells Fargo Dealer Services
3. The proponent wishes to modify the Chapter 13 Plan to do the following: Total attorney fee to be \$3500.00. The amount of \$1500.00 was paid prior to filing. The amount of \$2000.00 is to be paid through the Plan; Secured claim of Wells Fargo Dealer Services to be paid direct by Debtors' son as he is the primary borrower and the Debtors are co-signers.
4. The reason(s) for this modification is/are: To achieve confirmation of Chapter 13 Plan.
5. Select A. or B.
☐ A. The Chapter 13 Plan confirmed or modified on _____ is modified as follows:
☒ B. The unconfirmed Chapter 13 Plan dated 07/31/2014 is modified as follows:
 1. Total attorney fee to be \$3500.00. The amount of \$1500.00 was paid prior to filing. The amount of \$2000.00 is to be paid through the Plan.
 2. Secured claim of Wells Fargo Dealer Services to be paid direct by Debtors' son as he is the primary borrower and the Debtors are co-signers.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

I, Jeffrey K. Fields, attorney for debtor(s) Cary and Heather Krueger, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

/s/ Jeffrey K. Fields
Counsel for the debtor(s)

8/26/2014
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: August 26, 2014 at Milwaukee, WI

Attorneys for the Fields Group Law Firm
By: Jeffrey K. Fields
State Bar No.: 1030924